

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
v.) Case No. 1:15-cr-12-13
LARRY THOMAS HARRISON) Judge Mattice/Steger

AMENDED REPORT AND RECOMMENDATION

Pursuant to 28 U.S.C. § 636(b), the undersigned United States Magistrate Judge conducted a plea hearing in this case on June 8, 2016. At the hearing, Defendant Larry Thomas Harrison (hereinafter "Defendant") entered a plea of guilty to the lesser included offense in Count Two of the Indictment (conspiracy to distribute and possess with intent to distribute a mixture and substance containing methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C)) in exchange for the undertakings made by the Government in the written Plea Agreement and Plea Agreement Supplement (hereinafter "Plea Agreement"). On the basis of the record made at the hearing, the Court finds that Defendant is fully knowledgeable and competent to enter an informed plea; the plea is made knowingly and with full understanding of each of the rights waived by Defendant; it is made voluntarily and free from any force, threats, or promises, apart from the promises in the Plea Agreement; Defendant understands the nature of the charges and penalties provided by law; and the plea has a sufficient basis in fact.

I therefore recommend that Defendant's plea of guilty to the lesser included offense in Count Two of the Indictment be accepted; the Court adjudicate Defendant guilty of the lesser included offense set forth in Count Two of the Indictment; and the written Plea Agreement be accepted at the time of sentencing. I further recommend that Defendant remain in custody until

sentencing in this matter. Acceptance of the plea, adjudication of guilt, acceptance of the Plea Agreement, and imposition of sentence are specifically reserved for the District Court Judge.

The Defendant's sentencing hearing is scheduled on **Monday, September 12, 2016, at 9:00 a.m.**

ENTER:

s/Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

You have the right to *de novo* review by the district judge of the foregoing findings. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than fourteen (14) days after the plea hearing. Failure to file objections within fourteen days constitutes a waiver of any further right to challenge the plea of guilty in this matter. *See* 28 U.S.C. §636(b).